

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

KEITH ADAIR DAVIS,

Plaintiff,

V.

WILLIAM HAYES, et. al.,

**Defendant.**

CASE NO. C16-1709 RSM-BAT

## **ORDER DENYING MOTION TO APPOINT COUNSEL**

Keith Adair Davis, has filed a third motion to appoint counsel. Dkt. 62. For the following reasons, the Court **DENIES** the motion **without prejudice**.

The Court may appoint counsel for indigent civil litigants only under exceptional circumstances. At this point, Mr. Davis has not presented exceptional circumstances that would justify the appointment of counsel. Rather he has demonstrated the ability to litigate his case vigorously, including seeking review in the Circuit Court of Appeals. Accordingly, the Court **DENIES** the motion to appoint counsel, Dkt. 62, **without prejudice**. The Clerk shall send a copy of this Order to Mr. Davis.

DATED this 13<sup>th</sup> day of November, 2017.

  
BRIAN A. TSUCHIDA  
United States Magistrate Judge